

reduce the deficit. In order to address this fiscal crisis, I think Congress must enact basic structural changes to entitlement programs that will strengthen and preserve these programs for future generations while protecting current participants. Without real tangible reform and cuts in Federal spending, we will bankrupt the country. At the same time, we need to ensure that any of those policies we put in place do not result in a disproportionate impact on our rural health care system or restrict patients' access to the care they need. As I started saying today, this is going to be an uphill battle. But I, for one, am ready to lead the charge.

As a member of both the Finance and HELP Committees, as well as the co-chair of the Rural Health Caucus, I have tried to be a leader in the discussion about the need to address the entire health system.

I have made it a point that within our health care system discussions, we need to talk about the differences between our rural areas and the care and treatment provided in those rural settings and their urban counterparts. We need to address common misconceptions about funding challenges in rural communities before taking a Lizzie Borden ax to the funding streams.

Throughout my career in public office, I have made it a point to always fight for Kansas and rural health care providers. This has been one of my top priorities in Congress. I understand the important role of rural health in America and continue to advocate for policies that protect and preserve these benefits.

Most recently, the Centers for Medicare and Medicaid Services—CMS—have made some changes that will be particularly harmful to rural health. More specifically, their changes will force doctors into a guessing game about their patients. The condition of payment changes CMS is making would require the physician, and no other level provider, to not only predict at the time of admission to the critical access hospital that the patient will require hospital care for more than two midnights, but also that the patient can be cared for and discharged in less than 96 hours. This is an extremely narrow CMS window for the physician to make a determination about that patient's future needs—extremely difficult, if not impossible. A physician may certify that they expect the patient to be treated and discharged within 96 hours, but, unfortunately, the patient's situation may change and they may need to be kept longer. The physician's concern will be that they have failed to meet the terms of their certification according to CMS. This is likely to lead to premature discharges and readmissions, both of which CMS has taken actions to minimize.

A CEO for one of our critical access hospitals in Council Grove, KS, writes:

This new "condition of payment" rule causes potential conflicts with what is best for the patient, causes issues for the physi-

cian in having to predict outcomes at admission in complex cases, and may cause increased expense for medically unnecessary transfers to more costly care centers.

Today I am introducing the Critical Access Hospital Relief Act of 2014. My bipartisan legislation would remove the condition of payment for critical access hospitals that requires a physician to certify that each patient will be discharged or transferred in less than 96 hours. This is another example of having to tell CMS, "If it isn't broken, then there is no need to fix it." We need to focus on ensuring rural patients have access to their health system, not coming up with bureaucratic ways to make it harder for patients in rural areas to get quality care from their doctors.

I urge my colleagues to cosponsor the Critical Access Hospital Relief Act of 2014.

## SUBMITTED RESOLUTIONS

### SENATE RESOLUTION 360—TO AUTHORIZE TESTIMONY AND REPRESENTATION IN UNITED STATES V. ONSTAD

Mr. REID of Nevada (for himself and Mr. MCCONNELL) submitted the following resolution; which was considered and agreed to:

#### S. RES. 360

Whereas, in the case of *United States v. Onstad*, Crim. No. 13-65, pending in the United States District Court for the District of Montana, the prosecution has requested the production of testimony from Tom Lopach, Chief of Staff for United States Senator Jon Tester;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(2), the Senate may direct its counsel to represent current and former employees of the Senate with respect to any subpoena, order, or request for testimony relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate; and

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

*Resolved*, That Tom Lopach, Chief of Staff for United States Senator Jon Tester, and any other current or former employee of the Senator's office from whom relevant testimony may be sought, are authorized to testify in the case of *United States v. Onstad*, except concerning matters for which a privilege should be asserted.

SEC. 2. The Senate Legal Counsel is authorized to represent current and former employees of Senator Tester's office in connection with the production of testimony authorized in section one of this resolution.

### SENATE RESOLUTION 361—RECOGNIZING THE THREATS TO FREEDOM OF THE PRESS AND EXPRESSION IN THE PEOPLE'S REPUBLIC OF CHINA AND URGING THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA TO TAKE MEANINGFUL STEPS TO IMPROVE FREEDOM OF EXPRESSION AS FITTING OF A RESPONSIBLE INTERNATIONAL STAKEHOLDER

Mr. CARDIN (for himself, Mr. RUBIO, Mr. MENENDEZ, and Mr. CORKER) submitted the following resolution; which was referred to the Committee on Foreign Relations:

#### S. RES. 361

Whereas, in its 2013 World Press Freedom Index, Reporters Without Borders ranked China 173rd out of 179 countries in terms of press freedoms;

Whereas China's media regulator, the State Administration of Press, Publication, Radio, Film and Television, enforces a system of strict controls, including an extensive licensing system and government supervision by the Chinese Communist Party;

Whereas domestic radio and television broadcast journalists in China must pass a government-sponsored exam that tests their basic knowledge of Marxist views of news and communist party principles;

Whereas this state supervision of the media distorts and blocks free and open coverage of key issues including Tibet, political unrest, and corruption by government officials, as well as Chinese foreign policy;

Whereas China's media regulator officially bans journalists from using foreign media reports without authorization and forbids news editors from reporting information online that has not been verified through official channels;

Whereas the Congressional-Executive Commission on China (CECC) has documented several instances of reprisals against and harassment of independent journalists and newspaper staff by the Government of the People's Republic of China, including Chinese journalists working for foreign-based websites and newspapers;

Whereas the Foreign Correspondents' Club of China has noted that foreign journalists continue to face challenging work conditions, visa denials or delays, and various forms of harassment, and 70 percent of journalists surveyed in the FCCC's 2013 annual survey stated that "conditions have worsened or stayed the same as the year before";

Whereas, according to the CECC, authorities in China appeared to maintain or enhance policies to block and filter online content, particularly sensitive information about rights activists, official corruption, or collective organizing;

Whereas China is the world's second largest economy and the United States' second largest trading partner and has been a member of the World Trade Organization since 2001;

Whereas China's growing economic importance increases the need for the Government of the People's Republic of China to act transparently and respect international trading regulations; and

Whereas official government censorship denies the people of China, including nearly 600,000,000 Internet users, their freedom of expression, undermines confidence in China's safety standards, and causes increasingly serious economic harm to private firms that rely on unfettered access to social media as a business model: Now, therefore, be it

*Resolved*, That the Senate—